

NATIONAL WEATHER SERVICE INSTRUCTION 70-204

October 5, 2015

Financial Management

FINANCIAL MANAGEMENT, NWSPD 70-2

GUIDANCE FOR CONTINUING RESOLUTIONS

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Type of Issuance: Routine

SUMMARY OF REVISIONS: This instruction supersedes NWSI 70-204, Guidance For Continuing Resolutions, dated January 21, 2010.

- 1) Section 2: Deleted text
- 2) Section 3 Deleted last sentence in first bullet
- 3) Section 5 Deleted outdated references and added new one

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9/28/15

Date

Guidance for Continuing Resolutions

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1 Introduction

Ideally, NOAA would receive an appropriation before the start of the fiscal year. In the event that an appropriation is not signed at the start of the fiscal year, a Continuing Resolution (CR) would be enacted by Congress to provide intervening authority to operate. NOAA's Execution planning is based on a CR as passed by Congress and signed by the President. These plans are then updated based on the final appropriation.

2 General Rules

Usually CRs do not appropriate specific sums of money. Rather, they provide "formulas" for calculating the amounts available for continuing programs at minimal levels. CRs normally provide temporary funding. This formula is applied by the Office of Management and Budget (OMB) in apportioning funds under the CR. Once the CR is enacted, OMB usually issues a bulletin to automatically apportion funds available under the CR. This automatic apportionment applies to most accounts, but not all. For particular accounts, OMB provides a separate written apportionment.

Each CR should be carefully reviewed to determine the formula provided. The amount available under a CR is the result of negotiations in Congress and the Administration. As a result, the formula provided in each CR will likely differ from the formula in previous CRs.

The following general rules apply when operating under a CR:

When using the fixed rate, the previous year's obligations are the basis for the current year. The fixed rate is equivalent to the number of days elapsed in the fiscal year. The first quarter equals 25%. NWS must be prepared to make adjustments when NOAA receives its appropriation.

If the CR is based on a seasonal fixed rate then it is based on the average of several prior year obligations. NWS can only obligate up to the rate provided.

Depending on the obligation rate and associated funds availability. Contracts may need to be incrementally funded, however, nothing in the CR precludes full obligation of a contract base or option year.

- New programs cannot be started.
- Programs cannot be terminated. However, for programs not in the current fiscal year House or Senate Mark, or funded at reduced levels, obligations must be kept to a minimum during the CR period. Line Offices are responsible to cover these obligations in the event that they are not funded in the enacted appropriation.
- New or renewal contracts may be awarded, but only in support of ongoing program. As long as it supports an ongoing program and is affordable in the funds provided. Non-severable contracts cannot be incrementally funded.
- Travel, training, and other discretionary costs should be limited to essential operational and programmatic requirements.

3 Guidance for Obligating Documents

3.1 Procurement Requests

Each Financial Management Center (FMC) Director, or other official delegated to sign procurement requests, certifies that funds are available. The type of purchase/contract is critical:

- Funds must be available within the FMC's budget to cover items purchased during the period of a CR. If funds are available during the period of the CR, signature of the approver on the C. Request authorizes the purchase/contract to be processed.
- Long Lead Time Requisitions: Zero dollar requisitions should be used during a CR when the NOAA Acquisition Lead Time (PALT) requires submission of a requisition to make a planned award beyond the expiration of the CR period. When using zero dollar requisitions state "Pending Availability of funds" on requisition.
- Multi-year Contracts: Under a CR, procurements for recurring services which employ multi-year contract vehicles may only be funded at the same obligation rate as the same time period of the previous fiscal year. Multiple year contracts require the inclusion of a "cancellation charge" which NWS would have to pay the contractor if subsequent funding adequate to complete the contract is not received.
- Firm Fixed Price Contracts: Normally, firm-fixed price contracts must be available for obligation at the time of contract award. They may, however, be conditioned upon availability of funds.

3.2 All Other Purchases

Subject to the restrictions in the general rules in section 2, purchases can proceed at the CR rate without a statement. FMC Directors are responsible for ensuring they do not exceed the authorized funds during a CR.

4. Spend Plans During a CR

In general, CRs authorize spending at the same rate during the CR period as the previous year. When formulas are applied to calculate the amounts available and/or seasonal rates used as the basis for the calculations, the amounts available may not exactly match what was spent in the same period in the previous year. Spending in excess of the available CR rate during the previous year is not counted when calculating the amounts available. The amounts available to each FMC will be provided by the Office of the Chief Financial Officer/Chief Administrative Officer (CFO). Any questions on the amounts available should be directed to the CFO's office. Questions related to procurement actions should be directed to the Contracting Officer that handles procurement for the FMC. CFO will establish spend plan and associated delegation memos during the CR at the program/FMC level. NWS will establish spend plans in MARS during CR.

5. Required Transfers to Other Line Offices

Necessary transfers during a CR can be completed through manual allotment by the NOAA Budget Office with coordination through NWS Office of the CFO/CAO. (Example: AGO Direct Bill OAR Summary Level Agreements)_

6. References

http://www.whitehouse.gov/sites/default/files/omb/assets/a11_current_year/s123.pdf